

EXHIBIT “A”

Lex Smith

From: "Timothy J. Hogan" <hogant001@hawaii.rr.com>
To: "Lex Smith (E-mail)" <lex@gte.net>
Sent: Tuesday, January 20, 2004 2:03 PM
Subject: FW: lists of files

Lex:

I left you a voice mail message and wanted to be clear. We believe that Mr. Gurzi had to have been given a list of files to remove. Therefore, we believe that the "identified data files" are likely to be the list and request that it be provided. As to the lengthy list of files attached to the Report, the Report says those files were copied back on per Mr. Dillon's instructions. I can't see how these files could be the "identified data files" that I understand were to be removed when the report says they were copied back.

Before you send Guidance off on this task, we want to make sure there is no misunderstanding. Please call if you have a different understanding to avoid any confusion.

Tim Hogan.

-----Original Message-----

From: Timothy J. Hogan
Sent: Tuesday, January 20, 2004 11:41 AM
To: 'Lex Smith'
Subject: RE: lists of files

Lex:

1. The Gurzi letter we received today describes the "after" image, that was "minus the identified data files." We obviously are going to want to know what the "identified data files" are. We want this list. We presume that, with the Exhibit attached to the July Report, the newly created lists and the "identified data files" we can arrive at what was left on the computers and server after he left town.

2. Another comment relates to paragraph 1, we want the creation date, the last access date and size for each file listing produced.

3. Also, we recall that there are tapes and other media that were imaged/copied or removed and we want list of the inventory of the contents of those too with the creation and access dates and the sizes.

Let me know if any of this will be a problem.

Tim Hogan

-----Original Message-----

From: Lex Smith [mailto:lex@gte.net]
Sent: Tuesday, January 20, 2004 11:07 AM
To: Timothy J. Hogan
Subject: lists of files

Dear Tim,

Pursuant to our telephone conversation yesterday, attached is a description of the procedures Guidance Software will use in order to produce a list of all the filenames on the images that were taken in July of 2003.